

AUSA Faris J. Hussein (312) 353-4156

FILED

MAY 15 2008

NE

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

AFFIDAVIT OF WARRANT IN REMOVAL PROCEEDINGS

MAGISTRATE JUDGE ASHMAN

UNITED STATES OF AMERICA)

v.)

HOLY YANG)

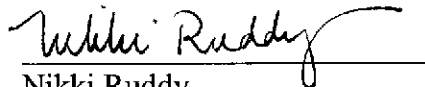
CASE NUMBER:)

08CR

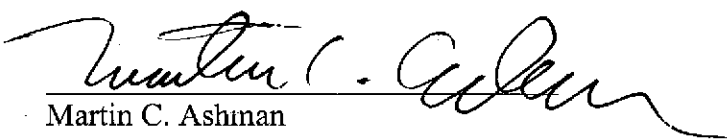
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The undersigned Affiant personally appeared before Martin C. Ashman, a United States Magistrate Judge, and being duly sworn on oath, states: That in the United States of America, in the Eastern District of Michigan, on or about May 8, 2008, a Material Witness Warrant, pursuant to Title 18, United States Code, Section 3144, was issued for Holy Yang, (attached hereto) and that Warrant is outstanding for the arrest of said defendant.

Wherefore, Affiant prays that the defendant be dealt with according to law.


Nikki Ruddy
Special Agent
Federal Bureau of Investigation

Subscribed and Sworn to before me this
15th day of May, 2008.


Martin C. Ashman
United States Magistrate Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

HON. NANCY G. EDMUNDS

v.

Case No. 08-20192

D-1 - DENNIS PAIGE

D-2 - SARAH DUTTON

D-3 - HORTENSE CANTY

Defendants

A TRUE COPY
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
BY EB
DEPUTY CLERK

MOTION AND AFFIDAVIT IN SUPPORT OF THE
ISSUANCE OF MATERIAL WITNESS WARRANT
AND REQUEST TO SEAL

NOW COMES the United States of America, by Stephen J. Murphy, United States Attorney, and John N. O'Brien II, Assistant United States Attorney, both for the Eastern District of Michigan, Southern Division, and respectfully requests that the court issue a material witness warrant for Holy Yang pursuant to Title 18, United States Code, Section 3144. In support, the United States avers:

1. On or about April 8, 2008, the above defendants were indicted on prostitution and child pornography offenses in a 10 count indictment.

2. Ms. Holy Yang, age 18, has been identified as a prostitute who was in the employ of Defendants both as a minor and as an adult from August through October, 2007, her testimony is material in connection with the criminal case.

3. In March of 2008 law enforcement executed a search warrant at the Defendant Paige and Dutton's home. During the search, pornographic photographs of Ms. Yang, taken when she was a minor, and distributed on the internet, were found in the defendants'

residence.

4. The presence of Ms. Yang is vital and material to the prosecution of defendants. She is the only witness who can testify to certain incidents occurring outside of the State of Michigan related to her transportation as a minor for the illegal purpose of working as a prostitute as well as information regarding the production of the child pornographic images. Beyond that, it is unknown and should be determined, whether or not Ms. Yang possesses any information that may mitigate the relative culpability of any defendant.

5. The above listed witness does not have a known consistent, stable residence nor an address at which to be contacted for testimony or court appearances .

6. Investigation thus far has determined that Ms. Yang is in the Chicago area, but agents have not been successful in identifying any permanent residence. Interviews of members of Yang's immediate family, to include her mother and sister, have produced a cellular telephone number for Ms. Yang, however, to date, none of the messages left on the phone have produced return calls.

7. Ms. Yang was arrested on a prostitution offense in Downer's Grove, Illinois in October 2008. At the time of her arrest, her bond was posted by Defendant Dennis Paige. Additionally, Yang was believed to be living with one of the defendants.

8. On April 24, 2008, this Court scheduled a trial date for August 5, 2008 and the appearance of Ms. Yang is unlikely to be secured before that date unless she is brought before the Court and ordered to provide some assurance regarding her address, her ability to be contacted by the attorneys and law enforcement officers , and the likelihood that she will appear for trial.

9. The United States respectfully requests that this motion and any accompanying order be placed under seal to avoid the witness becoming aware that there is a warrant for her arrest and relocating to another city or state, thereby further frustrating law enforcement's effort to interview and secure her for trial.

WHEREFORE, the government respectfully requests that a material witness warrant issue and that the warrant remain in effect until the date of trial, or until a video deposition can be scheduled, whichever comes first.

15/

JOHN N. O'BRIEN II
Assistant United States Attorney

Subscribed to and sworn before me this
8 day of May, 2008

MAGISTRATE JUDGE
R. STEVEN WHALEN

HONORABLE R. STEVEN WHALEN
United States Magistrate Judge

ORDER

The Court having reviewed the foregoing Motion and being satisfied that, pursuant to 18 U.S.C. Sec 3144 that there is good cause to order that a material witness warrant issue:

IT IS HEREBY ORDERED that said material witness warrant shall issue for Holy Yang, a.k.a "Lia" and "Miss Lee" and remain under seal until further order of the Court.

MAGISTRATE JUDGE
R. STEVEN WHALEN

HONORABLE R. STEVEN WHALEN
United States Magistrate Judge

Entered: May 2008